

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

IN RE: : Case No. 1:14-cv-695
MIYKAEL MUHAMMAD, :
ex rel MICHAEL GARDNER &, : Judge Timothy S. Black
ADA GARDNER : Magistrate Judge Stephanie K. Bowman
:

**DECISION AND ENTRY ADOPTING THE REPORT AND
RECOMMENDATIONS OF THE UNITED STATES MAGISTRATE JUDGE
(Doc. 5)**

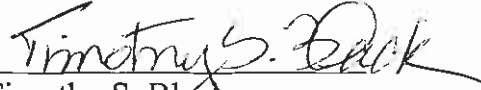
This case is before the Court pursuant to the Order of General Reference in the United States District Court for the Southern District of Ohio Western Division to United States Magistrate Judge Stephanie K. Bowman. Pursuant to such reference, the Magistrate Judge reviewed the pleadings filed with this Court and, on September 11, 2014, submitted a Report and Recommendations. (Doc. 5). No objections were filed.

As required by 28 U.S.C. § 636(b) and Fed. R. Civ. P. 72(b), the Court has reviewed the comprehensive findings of the Magistrate Judge and considered *de novo* all of the filings in this matter. Upon consideration of the foregoing, the Court does determine that such Report and Recommendations should be and is hereby adopted in its entirety. Accordingly:

1. Plaintiff's complaint is dismissed pursuant to 28 U.S.C. Section 1915(e)(2)(B); and
2. A certificate of appealability under 28 U.S.C. § 1915(a)(3) would not be taken in good faith and therefore an application to proceed on appeal *in forma pauperis* is **DENIED**.

IT IS SO ORDERED.

Date: 10/20/2014


Timothy S. Black
United States District Judge